PGCBA NewsJournal

Newsletter of the Prince George's County Bar Association, Inc.

www.pgcba.com *April 2015*

INSIDE THIS ISSUE

President's Message

Colleagues,

"True, we [lawyers] build no bridges. We raise no towers. We construct no engines. We paint no pictures—unless as amateurs for our own principal amusement. There is little of all that we do which the eye of man can see. But we smooth out difficulties; we relieve stress; we correct mistakes; we take up other men's burdens and by our efforts we make possible the peaceful life of men in a peaceful state." – John W. Davis

The words of John W. Davis inspired our upcoming Wednesday, April 29th General Membership Meeting. I hope that you will join the Association on this evening to Meet and Greet one attorney that leads the charge for the citizens of the State of Maryland in smoothing our difficulties, relieving stress, correcting mistakes, and taking up other burdens in an effort to provide a peaceful state, Attorney General Brian Frosh. In all matters in which interest of the State of Maryland are involved, the Attorney General and assistant attorneys general represent the State. This includes litigation in all courts, approval of regulations and enforcement of State's antitrust, consumer protection and securities laws, and criminal prosecutions. Further the Attorney General serves as legal counsel to the Governor, the General Assembly, the Judiciary, and almost all State agencies. The Attorney General may render an opinion on any legal subject or matter upon the request of the Governor, a member of the General Assembly, or a State agency. These opinions impact our legal practice each and every day. Further, those that attorneys may come in contact with during the course of their practice on a daily basis are represented by the Attorney General's Office. These include the clerks of court, registers of wills, sheriffs, and state's attorneys of the counties and Baltimore City. In addition, by law, the Attorney General serves on many boards and commissions that shape and direct the laws of the State of Maryland.

On this special evening we will also be recognizing those that have taken up the efforts to make our roadways safer for the citizens of the State by their personal commitment and dedication to over 20 years of service to the PGCBA Traffic School. It is efforts like this which has given this Bar Association life and purpose.

Hope you will be there,
Denise

Next Big Event!

Spring Membership Meeting

Wednesday, April 29, 2015
6:00 P.M.

Newton White Mansion

See page 22

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PGCBA NewsJournal

Newsletter of the Prince George's County Bar Association, Inc.

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PGCBA Mission Statement

...to represent the legal profession and to serve its members and the community by promoting justice, professional excellence, collegiality and respect for the law.

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Prince George's County Court Committee for Modernization of the Court Reporter's Office
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Annual subscriptions provided to PGCBA Members at no cost as part of annual dues; Non-Member subscriptions $75 per year.

Publication Deadline 10th of preceding month. Approved advertising accepted; rates submitted upon request. Statements or opinions expressed herein are those of the authors and do not necessarily reflect those of the Prince George's County Bar Association, its Officers, Board of Directors or the Editor. Publishing an advertisement does not imply endorsement of any product or service offered.

"Bench to Bar"

March 19, 2015

Thank you to our panelists, Judge James Salmon, Judge Joseph L. Wright, Judge Lawrence Hill, and Phillip Zuber, Esquire, our moderator Judge Erik H. Nyce, as well as our special guest Judge Katina Steuart.

Member Announcements

FREE • FREE • FREE • FREE • FREE
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BROWN BAG LUNCH

May 7, 2015
12:00 PM

Lawyer's Lounge, 3rd Floor
Duvall Wing

Speakers: TBD

Topic: TBD

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Submission Deadline:
10th of the month

The deadline for submissions is April 10th for the May Newsjournal.

Don't forget to sign up for PGCBA FIND-A-LAWYER Listing
See Application on our website www.pgcba.com

Welcome New Members!

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Ralph W. Powers, Jr., P.C.

Hiwot Berihun
J. Anukem & Associates, LLC

Catherine D. Jones
Court Appointed Attorney, Maryland
Appointed Attorney Program

Lee Reginald Glass
Law Office of Lee R. Glass

Susan Gerhart
Maryland Legal Aid

"The PGCBA is glad to have you as our new members!"

ELECTION BALLOTS

BALLOTS FOR BOARD POSITIONS WILL BE AVAILABLE IN THE BAR OFFICE AS OF MAY 1, 2015 OR AT THE ANNUAL MEETING ONLY!!

PGCBA NEWSJOURNAL PAPERLESS???

Did you know that the **PGCBA *NewsJournal*** is available on our website at www.pgcba.com? In addition, if you wish to receive your NewsJournal via email in lieu of a paper copy, beginning in September 2015, please let us know at vpope@pgcba.com.

Member Announcements, Con't

Save the Date!

Bench to Bar
April 16, 2015
4:00 PM - Courthouse

Topic: Five Most Common Criminal District and Circuit Court Cases: Practice Tips

Guest Speaker: TBD
Moderator: The Honorable Erik Nyce

...followed by...

Happy Hour
5:30 PM - OTI

Young Lawyers
Happy Hour
April 23, 2015
5:30 pm

DeCARO DORAN
SICILIANO GALLAGHER & DeBLASIS LLP

17251 Melford Boulevard
Suite 200
Bowie, Maryland 20715

Bench to Bar
May 21, 2015
4:00 pm - Courthouse

Topic: Criminal and Civil - 5 Most Common Ethical Issues Facing Lawyers Today

Guest Speaker: TBD

...followed by...

Happy Hour
5:30 PM - OTI

PGCBA Community and Public Service Program

2015 Awards Solicitation

The PGCBA is soliciting applications for its Community and Public Service Project Awards. Awards are financed with the income received from the PGCBA's Traffic School Program. Since the program's inception in 2000, the PGCBA has awarded over $102,000 to numerous community, public service and other charitable projects benefiting the citizens of Prince George's County.

Bar members are invited to nominate programs which serve the Prince George's County community. **The organization must be a 501 (C) 3 to apply.** Applications are available on our website www.pgcba.com. You may also contact Robin Hadden at rhadden@pgcba.com if you would like an application sent to an organization that you think would be interested. The Public Grants Committee, under the leadership of Manuel Geraldo will review all applications. Awards will be announced in July 2015.

SCHEDULE

March 2015 – Begin advertising the availability of the community service funds.

March 16, 2015 – The application process will be opened and the committee will begin to receive applications **via email at rhadden@pgcba.com**

May 15, 2015- The application process will be closed and no applications will be accepted after 5:00 PM on the 15th of May.

July 2015 – The recipients of the community service funds will be announced.

SPEEDY TRIAL – A PRIMER AND REFRESHER
Part Two - State Speedy Trial Considerations

by Robert C. Bonsib, Esq. and Megan E. Coleman, Esq.


This is the second of a multi-part series on speedy trial issues. This article will continue our discussion of Maryland Rule 4-271, Criminal Procedure Article 6-103, and *Hicks* and its progeny and will review reported decisions discussing where the prosecutor nol prossed a case, often on the eve of trial, and the Court has determined that the nol pros was not done with the intent to circumvent the Rule or where the nol pros did not have the necessary effect to circumvent the Rule.

The Nol Pros Did Not Circumvent the Rule

1. <u>The nol pros had an effect, but not a necessary effect to circumvent the rule in *State v. Brown*</u>

In *State v. Brown,* 355 Md. 89 (1999), the State nol prossed the case 43 days before the expiration of the 180 day period. The original pleading was not flawed. The defendant was recharged three months later and the new charges replicated the earlier charges. The *Brown* Court recognized that a nol pros can be used as a deliberate tactic to avoid an inconvenient or undesired trial date. In *Brown*, the State was candid that it used the nol pros because it was not ready to proceed to trial since the underwear of the child rape victim had been sent to the crime lab but the results were not yet received. Even though this impacted the 180 day rule, it was not a necessary effect since the prosecutor probably would have received a postponement based on good cause for the DNA. The COA cautioned not to treat every "effect" as a "necessary effect." With 43 days remaining in the original 180 day period, the State could have sought to expedite the DNA testing or could have requested a subsequent good cause postponement beyond 180 days. Thus the nol pros did not have the necessary effect of an attempt to circumvent the requirements. Even though the State did neither, that was of no matter as it was the *possibility* that the State might have done so at the time the nol pros was entered. In *Brown*, there was no ruling from the administrative judge denying a postponement, and both parties agreed that if requested, a postponement for good cause would have been granted; thus, there was a possibility the case could have been brought to trial within the remaining 43 days.

2. <u>The nol pros was done for the purpose of correcting a flawed charging document and not to evade the Rule in *State v. Glenn*</u>

In *State v. Glenn*, 299 Md. 464 (1984), Glenn and others were charged in district court with distribution of obscene matters. Glenn requested a jury trial and was arraigned. The 180-day time period for commencing trial would have expired on January 13, 1982. Trial was scheduled for November 17, 1981. Before trial the prosecutor concluded that the charging documents were defective because they failed to allege the scienter element that the defendants "knowingly" distributed obscene material. The prosecutor notified defense counsel about the need for an amendment and defense counsel stated he would object. Since the amendment was of substance and not form, the prosecutor nol prossed the cases on the trial date. That same day new corrected charging documents were filed in district court alleging the same offenses. The defendants again demanded a jury trial and the case was transferred to circuit court. The defendants were arraigned. The defendants filed a motion to dismiss the cases based upon the constitutional right to a speedy trial and the Maryland Rules. The circuit court granted the State's speedy trial motion and dismissed the charges with prejudice. The court did not address the constitutional speedy trial contention.

The COA reversed this decision finding that the prosecutor's purpose in nol prossing the charges was not to evade the rule but, "[t]he record clearly establishes, with no basis for a contrary inference, that the charges were nol prossed because of a legitimate belief that the charging documents were defective and because the defendants' attorney would not agree to amendment of the charging documents." *Id*. at 467. There remained 57 days before the expiration of the 180 day deadline. Upon remand the circuit court was directed to resolve the issue of the alleged denial of the constitutional right to a speedy trial. If the circuit court denies that motion, the defendants are to be promptly retried.

3. <u>The nol pros to amend a flawed indictment, absent bad faith or evidence of the State's motive to delay trial does not act with a purpose or have the necessary effect of circumventing the rule – but the record was incomplete in *State v. Huntley*</u>

In *State v. Huntley*, 411 Md. 288 (2009), Huntley was charged with child abuse. Trial was scheduled to begin 179 days after the defendant's first appearance. *Id.* at 291. A week before trial, the victim's family brought additional information to the State indicating that the dates of the offenses in the charging document were incorrect. *Id*. at 292. On the day of trial the State moved to amend the indictment, defense objected, and the motion was denied. The State then nol prossed the charges and re-indicted the defendant three weeks later. The circuit court granted the defendant's motion to dismiss the subsequent charges on the basis that the earlier nol pros was to "evade the effect of [the earlier judge's] ruling denying the motion to amend." *Id*. at 293.

The COA vacated the judgment of the circuit court and remanded for further proceedings. The COA noted that the circuit court did not analyze the issue of whether the State should have discovered the problems with the dates in the initial indictment before it did. Consideration of that issue

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was necessary to the determination as to whether the State entered its nol pros in good faith. 411 Md. at 302. The COA held that the *Curley* two-pronged exceptions test, and the concurrent *Hicks* sanction of dismissal, are inapplicable where the State's nol pros follows a denial of its motion to amend an indictment, at least where bad faith on the part of the State to delay is not shown. Where the State's nol pros is used to remedy a genuinely flawed indictment, the concerns of *Curley* are not present. The severe sanction of *Hicks* dismissal is reserved for situations where the State seeks to circumvent the rules and *unjustifiably* delay a defendant's trial beyond 180-days. *Id*. at 302-03.

4. The nol pros did not have the effect, actual or intentional, of circumventing the rule in *State v. Akopian*

In *State v. Akopian*, 155 Md.App. 123 (2004) Akopian was indicted for robbery and conspiracy to commit robbery. The *Hicks* deadline was December 17, 2002. Trial was set for September 11, 2002. On September 6, 2002, the State moved to continue the trial date because a police officer who was "an essential witness" was not available on the trial date. The motion was granted and a new trial date of October 22, 2002 was set. On that date the State again asked for a continuance because an essential witness was not available and because the defense filed a motion for appropriate relief regarding identification of the defendant the day before the scheduled trial date. The administrative judge denied the request for the continuance. The State asked for a one day continuance so the officer could be present. The judge said that the jury could be selected on the day the trial was set to begin and, then, because the trial would have started, a continuance would not be needed because the witnesses would not be needed until the next day. The case was called for trial and defense counsel then advised the court the defense had no motions to litigate, the defendant waived his right to a jury trial, and elected a to have a bench trial. A motions hearing and jury selection as had been anticipated by the State and administrative judge. After this change in the defendant's position, the State renewed its motion for continuance, noted that the essential police officer was out on an assignment and not available and, as a result, stating that this is a K9 case, the State was able to begin the trial. The State then announced that it would be nol prossing the counts at this time and re-indicting.

Akopian was re-indicted shortly thereafter with the same charges. An initial appearance was held followed by a status conference on November 1, 2002. Akopian was not transported for the hearing. The prosecutor asked to set in a trial date to avoid the 180 day problem but the Court did not want to schedule a trial date where the public defender had not yet entered or interviewed the defendant. The Court reset the hearing for November 7, 2002 and ordered that Akopian be interviewed by the public defender. At the November 7th hearing Akopian was again unrepresented. Akopian said he planned to get a paid lawyer. The Court said it had a trial date scheduled for January 13, 2003. Akopian said he'd have a lawyer by then. The prosecutor tried to tell the Court when *Hicks* ran and the Court said "That wouldn't make any difference." The State filed a motion to advance the trial to November 8, 2002 and addressed the speedy trial issue. The Court held a status conference November 15, 2002 and Akopian was unrepresented and apparently still in the process of hiring a lawyer. The State again raised the *Hicks* deadline. On November 22, 2002 Akopian still had no counsel. On November 27, 2002, Akopian still had no counsel. The Court set the case for trial on December 11, 2002. The trial did not go forward and Akopian's previous counsel entered his appearance on December 13, 2002 and filed a motion to dismiss. A hearing on the motion was conducted on December 20, 2002. The motion to dismiss was granted.

The CSA found that the State here was vigorous in its efforts to advance the trial date to fit within the original 180 day calendar. 151 Md.App. at 141. Further, it noted that the State stood ready to try the case well before the expiration of the 180 day period. The defendant in this case continued to appear without counsel and continually refused the services of the public defender. The CSA held that facts in this case did not indicate that the State used a nol pros to circumvent the 180 day rule. More than 50 days remained in the *Hicks* period. When the case was originally called for trial on October 22, 2002, the State's witnesses were unavailable due to exigent circumstances of an officer working on a special assignment involving the serial sniper shootings. Also, in denying the State's motion for continuance, the administrative judge indicated his expectation that the trial proceedings would be somewhat delayed by selecting a jury and the State would not reach the then-absent witnesses until at least the second day.

5. The nol pros did not have the effect, actual or intentional, of circumventing the rule in *Baker v. State*

In *Baker v. State*, 130 Md.App. 281 (2000), Baker was charged with child abuse and related charges. *Hicks* would have expired on March 14, 1999. Trial was first scheduled for February 23, 1999. On that day, 19 days before the *Hicks* deadline, the State nol prossed all counts. Six days later on March 1st, Baker was indicted on the single charge of child abuse. Baker's trial was not held by March 14, 1999. Baker moved to dismiss for violation of Rule 4-271. The motion was denied. Baker was tried and convicted.

The CSA found that the nol pros did not have the purpose of circumventing the 180 day requirement. The prosecutor represented that when he nol prossed the case on February 23, 1999, the 180 day Rule never entered into his mind and the Court accepted as a fact that the prosecutor had no deliberate purpose to circumvent the 180 day rule.

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The CSA found that the nol pros did not have the necessary effect of circumventing the rule. The CSA reviewed the earlier cases of *Curley*, *Glenn*, *Brown*, and *Ross*. In *Curley*, the State nol prossed the charges on the 180th day, had no witnesses present for trial, and was definitely not ready to proceed on that day. By contrast in *Baker*, there were still 19 days left in the 180-day period, the State had available witnesses, it just did not believe it was in the best interest of the 9 year old at that time, and the State could have sought a postponement to have the social worker testify in place of the 9 year old. The need to have the social worker testify was not as strong as the need for the continuance in *Brown* where DNA evidence from the underwear of the child rape victim had not yet been received; but the CSA said the need in *Baker* was still substantial because it was not in the best interest of the child to testify. The CSA also found that the trial judge may have granted a postponement finding good cause based on these circumstances, and thus *Baker* is unlike in *Ross* where the court there made a finding on the record denying the State's request for a postponement. Also, the judge in *Baker* made no indication that the docket was too crowded to reset the case. Lastly, the nol pros was not the only alternative for the State since the State could have proceeded to trial using the 9 year old. Thus it was held that the nol pros on February 23, 1999 did not have the necessary effect of circumventing the 180 day rule.

6. <u>The nol pros was not done with the purpose nor did it have the necessary effect of circumventing the rule in *Collins v. State*</u>

In *Collins v. State*, 192 Md.App 192, 199-200 (2010), the State nol prossed an attempted murder prosecution 40 days before *Hicks*, because the State had received information that Collins may not have been involved in the crime. Then, three weeks after the nol pros, the State recharged Collins when their investigation led them to believe that Collins actually was one of the perpetrators.

The *Collins* decision is a good overview of the policy purpose of *Hicks*, its exceptions, and its application. The *Collins* Court said that the *Huntley* holding should be extended to include situations such as in *Collins*. 192 Md.App. at 207. *Huntley* is limited to cases where the State unsuccessfully attempts to correct a flawed indictment. In *Collins*, there was nothing defective about the indictment; but the nol pros was the result of the State's doubt about the degree of Collins' involvement in the attack. The CSA said that the State could have requested a continuance, but instead nol prossed which released Collins from pre-trial detention. The State promptly investigated leads and determined that Collins was in fact criminally responsible and re-charged him within three weeks. The delay was justifiable.

The CSA said they would reach the same result if they applied the *Curley* test. With respect to the "necessary effect" prong, when the original charges were nol prossed, there were still 40 days left before the expiration of the 180 day period. The CSA stated that this was akin to *Brown*, where the nol pros was entered 43 days prior to the expiration of the 180 days period and the COA there noted that 43 days provided an ample opportunity for the State to obtain a postponement from the administrative judge for good cause. *Id*. at 210 (citing *Brown*, 341 Md. at 620); *see also Glenn*, 299 Md. at 467 (nol pros with 57 days remaining in the 180 day period). Thus, there was good cause for a postponement and the 40 days remaining before the expiration of the 180 day deadline was more than enough time to obtain one.

With respect to the "purpose" prong, the CSA held that the nol pros was clearly not entered to circumvent either the 180 day rule itself, or a similar effect. Rather, the nol pros was motivated by the State's desire "to make sure that he didn't have the wrong guy" the CSA noted that the record provided no basis for a contrary determination. *Id*. at 210-211.

Practice Pointers for Defense Counsel

1. Enter your appearance and demand a speedy trial in writing as soon as possible so that the 180 day countdown being promptly.
2. Be aware that if you are the party that continues the case beyond the 180 day deadline, recognizing that that is the critical postponement, you have forfeited your standing to thereafter raise any *Hicks* violation.
3. Clearly assert the Defendant's demand for a speedy trial at the time of any contested postponements. A general "I object for the record" is a weak assertion. Make a particularized objection specifically noting all prejudice to your client.
4. If the prosecutor is seeking a postponement that goes beyond *Hicks* challenge the prosecutor to articulate the specific reasons for the requested postponement, including such information as when the prosecutor became aware of the need to postpone the case, i.e., when the prosecutor was advised of any new information, when the prosecutor subpoenaed witnesses who might now not be available, when the prosecutor made requests of crime labs for forensic examination that the prosecutor now contends are essential to the prosecution and not yet available and, where appropriate challenge the diligence with respect to his/her preparation of the case.
5. Remember that the lab and the police department are part of the prosecution's team. Deferring responsibility for a delay in the prosecution's readiness because the "lab hasn't completed the examination" requires scrutiny as to why there has been a delay. Some labs wait to do their examination until they believe that the case will actually go to trial – that means any forensic analysis may not occur until months into the processing of the case. Challenge the reasonableness of a delay or good cause based upon

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such a unilateral decision not begin the forensic examinations. No finger pointing to other part of the "team" should be allowed to go unchallenged.

6. The closer to the trial that the State decides to nol pros a case, the stronger the challenge should be to demand that the prosecutor to justify, on the record, why an untimely decision to nol pros the case is not being done with a purpose to circumvent *Hicks.* Be conscious of how many days remain before the *Hicks* deadline and when appropriate, challenge the prosecutor to get the case rescheduled before the *Hicks* deadline.
7. Ask the Court to reset the trial before the original *Hicks* date and, if the Court declines based upon court congestion or other administrative reasons, try to push for a more specific detailed explanation as to why this case, facing the *Hicks* deadline, cannot be given the necessary priority on the Court's calendar to have it tried before the *Hicks* deadline.
8. In those instances where the State has failed to timely comply with its discovery obligations, and where you really are prepared for a speedy trial (recognizing that all of these practice pointers may be moot where a speedy trial is not in your client's best interest) file a motion to compel discovery. Start making the record so you're laying the foundation for any subsequent argument that the entry of a nol pros is being done to avoid sanctions resulting from the State's failure to comply with its discovery obligations.
9. Even as you make the record for your *Hicks* argument, do not lose sight of the possible alternate basis for dismissal based upon a violation of your client's constitutional right to a speedy trial.

Practice Pointers for Prosecutors

1. Do your best to have the first trial date promptly scheduled. Be conscious of when you're case seems to be in limbo and no scheduling has occurred. Where a continuance has been granted, be diligent in ensuring that the new trial date is actually and promptly set and that there is no unnecessary delay due to administrative negligence.
2. When all else fails, and if *Hicks* expires on the scheduled trial date, start the trial. Choose a jury, or start the bench trial, even if all your witnesses won't be available on the first day of trial. Case law supports the position that starting the trial, even if there is some delay after the resuming of the trial, will satisfy *Hicks.* Convince the judge that once the trial has started, the Court has the discretion, within reason, to control the remainder of the scheduling of the case.
3. Where there is a legitimate need to continue the case beyond *Hicks,* get an on-the-record agreement to the new date by the Defendant. Such an agreement will likely be deemed to be an acquiescence to the continuance and will result in the Defendant having been deemed to forfeit any subsequent argument that *Hicks* has been violated.
4. Make the record. If you have a good and specific reason for nol prossing the case as the *Hicks* deadline is approaching, spell it out. A contemporaneous and reasonable basis set forth on the record for nol prossing the case is likely to be better received than one only articulated at a later time when the Defendant has moved to dismiss the case.
5. If you recognize a problem in going forward with your case, nol pros or request a postponement as soon as possible. This will ensure that a new trial date can be reset as soon as possible and will assist in responding to arguments raising issues of untimeliness or lack of diligence.
6. Be diligent with respect to your request for forensic examinations. Follow up to make sure such examinations are started promptly, particularly where DNA is at issue. Stay in touch the crime lab to ensure that the lab does not delay in conducting its analysis. Remember that the lab's concept of timeliness in completing its examination may be related to its understanding of the trial date and not with an understanding of your discovery obligation, which occurs much earlier in the process. A delay in requesting or initiating forensic examinations based upon a unilateral belief (later determined to have been mistaken) that the case will result in a plea, is not likely to be considered good cause.

Next Article

In the next article we will discuss constitutional speedy trial issues under the 6th Amendment of the United States Constitution, *Barker v. Wingo* and its progeny.

Robert C. Bonsib, Esq. is a partner and Chair of the PGCBA Federal Practice Committee and Megan E. Coleman is an Associate at MarcusBonsib, LLC in Greenbelt, MD and both concentrate their practice in the defense of state and federal criminal matters.

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Maryland State Bar Association Young Lawyers Summit

The 2014 Maryland State Bar Association (MSBA) Young Lawyers Summit in Solomon's Island provided young lawyer attendees with the opportunity to network and collaborate with peers from across Maryland. In roundtable discussions, attendees shared examples of their respective local and specialty bars' past successful events and brainstormed new bar event ideas to boost recruitment and promote participation among young lawyers. A main focus of the Summit was to encourage increased communication and collaboration between the MSBA Young Lawyers Section and the local and specialty bar associations' young lawyers committees. The MSBA Young Lawyers Summit encouraged attendees to tap "big bar" resources for not only advertising and participation, but for funding as well, when planning upcoming local bar events.

The 2014 Summit was also a great educational experience for young lawyer attendees. Presentations on everything from taking on bar association leadership positions, to financial planning and retirement saving, and from utilizing social media professionally, to pro bono opportunities, were interesting and informative.

Finally, as the Summit was held in conjunction with the MSBA Conference of Bar Presidents, young lawyer attendees were afforded the invaluable opportunity to meet and network with experienced attorneys, past, present, and future bar association leaders, and other important legal figures from across Maryland. Connections made at the Summit will undoubtedly benefit young lawyer attendees as they continue to develop their legal career.

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Family Law, Matters: Leelah Lives–Transgender Youth in the Family Courts | *by Magistrate Kristin Hileman-Adams*

Anyone who reads the news will likely have heard of Leelah Alcorn. Anyone who has read the news will also know that Leelah Alcorn does not really live - at least not in the sense of living, breathing, and walking the face of this earth living. Many who have read about Leelah Alcorn may even argue that "Leelah" Alcorn never really lived at all. In my world, not only does Leelah live, but she has forever changed me. Leelah Alcorn was born Joshua Alcorn on November 15, 1997. On December 28, 2014 at the age of 17, Leelah left an electronic note on her blog on Tumblr signed "Leelah" (crossing out the name Josh). Here are portions of the note:

> "Please don't be sad, it's for the better. The life I would've lived isn't worth living in ... because I'm transgender." "To put it simply, I feel like a girl trapped in a boy's body, and I've felt that way ever since I was 4. I never knew there was a word for that feeling, nor was it possible for a boy to become a girl, so I never told anyone and I just continued to do traditionally 'boyish' things to try to fit in." At 14, "[a]fter 10 years of confusion I finally understood who I was. I immediately told my mom, and she reacted extremely negatively, telling me that it was a phase, that I would never truly be a girl, that God doesn't make mistakes, that I am wrong. If you are reading this, parents, please don't tell this to your kids." "Even if you are Christian or are against transgender people don't ever say that to someone, especially your kid. That won't do anything but make them hate them self. That's exactly what it did to me." "My mom started taking me to a therapist, but would only take me to Christian therapists, (who were all very biased) so I never actually got the therapy I needed to cure me of my depression. I only got more Christians telling me that I was selfish and wrong and that I should look to God for help." At 16, she wrote that she realized her "parents would never come around" which "absolutely broke my heart. ... I felt hopeless, that I was just going to look like a man in drag for the rest of my life."

Leelah came out as gay at school and was supported by friends but this apparently disturbed her parents.

> "They wanted me to be their perfect little straight Christian boy, and that's obviously not what I wanted."

Her parents cut her off from all social media and, according to some sources, withdrew her from school.

> "This was probably the part of my life when I was the most depressed, and I'm surprised I didn't kill myself. I was completely alone for 5 months. No friends, no support, no love. Just my parents' disappointment and the cruelty of loneliness." "I'm never going to find a man who loves me." "I'm never going to be happy." "The only way I will rest in peace is if one day transgender people aren't treated the way I was, they're treated like humans, with valid feelings and human rights. Gender needs to be taught about in schools, the earlier the better. My death needs to mean something. My death needs to be counted in the number of transgender people who commit suicide this year. ... Fix society. Please."

On December 28, 2014, Leelah left her home in the middle of the night, walked to a nearby interstate, and walked out in front of a tractor-trailer. She was killed instantly.

The plight of transgender youth is not something new to me. While the news article I read recently about Bruce Jenner indicated that societal acceptance of transgender individuals is hampered by the fact that, as a small percentage of the population, most people do not know or come into contact with a transgender person, that is not the case with me. As a Family Magistrate who deals exclusively with juvenile cases- most of those dependency cases- I have dealt with a large number of transgender youth and an even larger number of LGBTQ (Lesbian, Gay, Bisexual, Transgender, Questioning) youth. Statistically, transgender youth make up a disproportionate number of youth in foster care (and in the juvenile delinquency system as well). Whether it is unaccepting families or youth acting out while trying to figure it all out, LGBTQ youth end up in foster care at an alarming rate. Unfortunately, I have too many "war stories" about LGBTQ youth who have ended up coming to see me in my courtroom as Children in Need of Assistance and how they ended up there.

When I read about Leelah Alcorn, I was truly saddened that she did not get the love and support she needed to make her feel that she was accepted and valuable and her life worth living. I am now embarrassed to say that in some ways it made me proud of the work we do here where we strive to work with our transgender foster youth in a positive and sensitive way. I have been to training sessions with other members of the bench in Maryland where we have had discussions about respecting pronouns and name choices, assisting youth with legal name changes, and getting identifying documents with the correct

name and gender. We have discussed LGBTQ support groups, hormone therapy, recruiting foster parents who are accepting of cross-dressing youth, and counseling services for families of LGBTQ youth to help them have better relationships with their children. I thought of the many transgender youth with whom I have had steady contact over the past 7 years and the work that has been done to make them feel valued and accepted and to smooth the path for them in society to the extent possible. We had even received positive press for the Maryland state-wide LGBTQ Foster Youth Summit held on September 10, 2014. I suppose I experienced the sin of hubris as I thought about how we "do it right" here.

And then I got a phone call yesterday. A phone call that informed me one of my own "Leelah's" had chosen the same path as Leelah Alcorn. That my Leelah had also decided that life as it was was not worth living and, despite everything that her social workers, foster parents, and others had done for her, she could not spend another day in this world. And it left me wondering, "What else could I have done? What did we do wrong?" I am still struggling with those questions. Part of me keeps telling myself that none of us involved in this Leelah's case did anything "wrong" and that we all tried and did our best. And yet, we failed. Why? My Leelah just came to court to see me two weeks prior to her death and she appeared happy- bubbly even, dressed like she just walked out of a magazine, a proud 2014 high school graduate, tall and beautiful with a new name, working on a new identity, looking for a job, and expounding on her love of travel and plans to be a travel agent. She had already researched how to preserve her ability to procreate and was planning to pursue hormone therapy after that medical procedure was accomplished. She seemed to have it all together. So, again, I was left with the question, "Why?" A 2011 study by the National Center for Transgender Equality found that 41% of 6,450 responding transgender and gender nonconforming people had attempted suicide. I do not want to pigeon-hole my Leelah and say that she died because she was transgender. Unlike Leelah Alcorn, it may not be so clear. Having lived through the suicide of a sibling, I know that the "why" of a suicide is usually multi-faceted and cannot always be distilled into a one word or even one sentence answer. However, I do firmly believe when a person walks through life not feeling accepted by society in general, not feeling like (s)he belongs, and not feeling "normal" any other thing that goes wrong is magnified.

So, you ask, "Why is this topic in the Prince George's County Bar Journal and what does it have to do with Family Law?" Family Law encompasses a lot of different situations and, more often than not, the cases involve dealing with families in crisis. It is a fact that families often end up in crisis when a member of the family questions his or her gender identity and/or sexual orientation. For any of you involved in the child welfare system as part of your Family Law Practice, you have almost certainly had a case involving LGBTQ youth and could well have had a case with a transgender youth. The National Network of Runaway and Youth Services estimates that between 20-40% of homeless youth are LGBTQ and studies have indicated that over half of homeless youth have been in foster care at some point. Some studies have found that LGBTQ youth are twice as likely to attempt suicide as their heterosexual peers. Those same studies have suggested that LGBTQ youth are twice as likely to be threatened or

cont'd on next page...

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injured with a weapon at school and are twice as likely to skip school because they feel unsafe there. One study found that over 30% of LGBTQ youth reported physical violence from a family member after the youth came out. Other studies have reported that many LGBTQ youth have been forced to leave their families of origin because of conflict with their parents regarding the youth's sexual orientation or gender identity. Seventy-eight percent of LGBTQ youth were removed or ran away from their foster placements because of hostility toward their sexual orientation or gender identity by the foster family/placement according to some studies.

These grim statistics illuminate the need for better services geared specifically to address the needs of LGBTQ youth in care. In retrospect, I guess it is not a bad thing to feel proud that we here in the Maryland child welfare system have taken note of the issue and are endeavoring to make things better. However, I keep coming back to Leelah Alcorn's plea "My death needs to mean something… Fix society. Please." I think, "Of course, we need to fix society." And then I remember that society is not a "thing." It is not a bike or a machine where a little twist of a wrench or tap of a hammer and it is up and running the way it ought. Society is you and me and everyone else who gets up in the morning and looks in the mirror. Society is each one of us. So the plea, "Make my death mean something…Fix society. Please," is really a plea to each one of us to examine our own biases (conscious and subconscious) and our daily thoughts, words, and actions. I am echoing that plea and asking that even if one cannot make changes in one's personal beliefs to at least make changes in one's professional activities. We are not doctors of medicine, but we are doctors of law. And even though we take no oath to "Do no harm," I believe that those of us in the child welfare system should be focused on exactly that, child welfare, and LGBTQ youth are among those children about whose welfare we are supposed to be caring. I also believe that in a broader sense, when one is working in Family Law and trying to accomplish fairness and justice in families, the same principles apply. I do not think anyone goes into a Family Law case thinking (s)he hopes to leave the family worse off than it was before the attorney's involvement. So we return to the question: "How do we fix ourselves if we are society?" I think the first step is to educate one's self about the issue. The next step is to learn what best practices are when dealing with LGBTQ youth or family members**.** The third step is to practice what has been learned. To that end, I have attached links to a number of resources to begin the "educating one's self" process. After that, "the talking the talk" and "walking the walk" is up to each of us. Hopefully, awareness of the issue and learning how to best handle these types of issues in one's Family Law practice will make for better outcomes.

Leelah Alcorn never got a chance to live and be "Leelah," but her message lives on and is "trending" around the world. My Leelah does not still live in the living, breathing, and walking the face of this earth type of living either. But she too lives on in the minds and hearts of those who knew her and have been changed by both her life and her death. I hope something in this article touches and changes you too... if so, maybe all this senseless loss will at least mean something and the next Leelah who comes along will live- really live- and not just in the pages of a letter.

Resources:

http://www.nrcyd.ou.edu/lgbtq-youth – In The Life- LGBTQ Youth in Foster Care National Resource Center for Youth Development- LGBTQ Youth In Care: Information and Resources

http://www.sprc.org/sites/sprc.org/files/library/SPRC_LGBT_Youth.pdf - Suicide Prevention in LGBTQ Youth from the Suicide Prevention Research Center

http://www.americanbar.org/groups/child_law/what_we_do/projects/openingdoors.html - American Bar Association Center on Children and the Law: Opening Doors/LGBTQ Youth in Foster Care

https://www.youtube.com/watch?v=nuSikwpqazA - Foster Care's Invisible Youth

https://www.americanprogress.org/issues/lgbt/report/2014/12/17/103488/restoring-justice/ - Center for American Justice: Restoring Justice-A Blueprint for Ensuring Fairness, Safety, and Supportive Treatment of LGBT Youth in the Juvenile Justice System

http://www.ncjfcj.org/sites/default/files/Opening%20Doors.pdf - Opening Doors for LGBT Youth in Foster Care- A Guide for Lawyers and Judges

(Family Magistrate Kristin Hileman-Adams graduated with a B.A. from Cornell University in 1988 and graduated ***magna cum laude*** from American University Washington College of Law in 1991. She was a law clerk for the Honorable Darlene G. Perry from 1991-1992. Family Magistrate Hileman-Adams served as an Assistant State's Attorney in Prince George's County from 1992-2003 and was appointed Chief of the District Court Division from 1996-2003. She was also an adjunct professor for Catholic University's Rule 16 program from 1997-2003. In 2003, she joined the Litigation Division of the County Attorney's Office in Prince George's County and represented DSS from 2004-2007 in TPR and CINA cases. She has been a family magistrate handling exclusively juvenile- delinquency and dependency- matters since October 2007.)

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Alimony: What Judges and Magistrates need you to know
Bonus: FL § 8-205 and FL § 11-106, 11 minutes on 11 factors

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SAVE THE DATE • APRIL 25TH

It's that time again - Christmas in April time! This organization repairs the homes of the elderly and/or disabled residents of Prince George's County that are unable to help themselves. The event is scheduled for April 25, 2015, rain or shine. We will be partnering with the J. Franklyn Bourne Bar Association to repair the home of an elderly woman, ShaRon Kelsey will be the house captain. The home requires interior painting, power washing of the house exterior and fence along with bringing the handicap ramp back up to code. We will need help as well as donated supplies. Any and all skilled and unskilled persons and/or persons with contacts, please email me at MEMcNeil@co.pg.md.us. Cash donations are also accepted for hardware supplies and refreshments for volunteers.

If you cannot make the event, please visit www.christmasinaprilpg.org and make a donation of any kind to Christmas in April by clicking on the GoFundMe link. Thank you, in advance, for your help with this most worthwhile organization.

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The Civil Rights March and the New York Times Decision

by Joseph A. Trevino, Esq.

The March 1964 ruling in *New York Times (NYT) vs. Sullivan*, (376 US 254), stands as the landmark supreme court decision affirming the right of the news media to publish items critical of public figures without fear of libel or defamation lawsuits, and there's no doubt it stands as a symbol of our great democracy. An entire body of First Amendment jurisprudence has emerged from this seminal case establishing bright lines of demarcation, defining how far freedom of expression and of the press extends, and whether a publication can contain inaccurate information can (without more) lead to a successful verdict for a public official.

In the struggle for freedom of expression and of the press, this NYT case stands as one of the great pillars. However, one of the decision's greatest credits is the lesser known, often overlooked fact that this victory for the press and the First Amendment was also instrumental in providing an impetus to the epic civil rights movement of our time, the struggle by African Americans to secure for themselves the rights they were so cravenly being denied by the Jim Crow laws of the old south and its segregationist policies, especially the right to vote, to petition and to peacefully assemble. The film "Selma" portrays a chapter in that struggle

Although in the early 50s and 60s, the New York Times understandably had a limited circulation in the south and in particular in Montgomery, Alabama, ground zero of the civil rights struggle, it did possess an extensive national reputation. To say that the descendants of former slave owners were hostile to the NYT would be a monumental understatement; it was anathema. Circulation of the paper in Montgomery was estimated at 35, and only about 300 statewide. The NYT still at its core championed liberal and progressive causes and ideas; it stood up for the "little guy", the weak and the oppressed marginalized minority. And there was no greater progressive, imperative cause in the Deep South than the plight of African Americans struggling to have their voices heard, to have their rights validated.

Those voices would soon be in danger of being suffocated and the movement severely crippled by eliminating one of their most powerful platforms, the national media. No other publication dared to project and amplify those voices, for it was all well known that the state law of defamation and libel required no *mens rea*, no evidence of intent; in short, it was a law of strict liability. The media were intimated. If the publication contained incorrect information, however slight, trivial, tangential or harmless, it was libel, next case! The burden of proof was on the Defendant to prove the truth or correctness of the item. In point of fact, the inaccuracies pointed out in the law suit were that the ad stated the Rev. Martin Luther King, Jr. had been arrested by the Montgomery police seven times when it was only five. Petty? I know.

And so it came to pass, 45 years ago, March 29, 1960, the *New York Times* jumped into the fray and published an extensive ad called HEED THEIR RISING VOICES and would go on to earn the publication a crippling $500,000 punitive damages award by the Alabama court in favor of Sullivan, whose name ironically did not even appear in the printed text. One can only imagine the financial impact of such a figure when the average annual income was around $4,000. To let the verdict stand would spell financial ruin for the *New York Times*. The suit had also named individual prominent civil rights leaders, among them the Rev. Abernathy. Without naming any individual the ad accused the state authorities and specifically the Montgomery police of several acts of excessive force against demonstrators, nothing new there, right? Sullivan had been police commissioner during the time of the incidents and he took offense. The ad also solicited financial contribution for voter registration efforts and for the defense of Martin Luther King on a trumped up charge of perjury. Yes, in all but appearances, it was all out war. In retrospect, it was a dramatic struggle on many levels.

But to appeal the verdict meant the NYT had to argue for a complete do-over of the law of libel and defamation. In a risky move, fighting for its very survival, the NYT had to and did ask the Supreme Court to essentially rewrite the jurisprudence of libel and require the plaintiffs to adduce trial evidence that the publication against a public figure was deliberately false and that it demonstrated reckless disregard for the truth. With this new standard this decision would make it more difficult to intimidate the media when it raised legitimate issues of government misconduct. It would require actual malice to cause harm by publishing a story against a public official. It placed the burden of proof on the plaintiff. This was a triumph not just for the NYT. Almost four years from the publication of HEED THEIR RISING VOICES, the Supreme Court, in a unanimous decision, spoke for Justice.

When we consider the Supreme Court decision overturning the verdict of the Alabama state court and in the backdrop the ad that started it all with the cry: HEED THEIR RISING VOICES, one cannot help but be overwhelmed with the message, that by giving the NYT a new lease on life, symbolically the Supreme Court also said, let ALL voices be heard, on the streets and the voting booths. It is a proud and clear message for those who care about our democracy and our blessed way of life.

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"March Madness Happy Hour"
March 19, 2015

Virtual Project Scrapped for Now | *by Al Northrop, Special Reporter*

On the eve of the announcement of a virtual jury project, the project was scrapped for now leaving $214,780 in development fees floating down the river with questionable retrieval.

Under the virtual jury plan, which was to be unveiled April 1, a data base of twelve hundred virtual jurors was to be developed. A computer would randomly select either six or twelve jurors for each jury trial depending on whether it was a criminal trial or a civil trial. The trial would be presented at the conclusion of which the judge would complete a four page computer form which would then be fed to the computer. An algorithm based on the profiles of the virtual jurors and comprehensive data from all of the trials in the past four years would then tender a verdict.

A three day test run done the last week of March revealed a serious problem. Computer experts called in discovered that when the project was moved from the Marbury Wing to the Duval Wing early in March (due to the temporary closing of the Marbury Wing) the program apparently was hacked.

As a result of the hack, profiles for virtual jurors included George Washington, John Boehner, F. Lee Baily, Michael Jackson and retired judge, Ron Schiff among others. Additionally, the computer seemed to demonstrate a mind of its own during deliberations and began asking questions. Examples include: "Was a DNA sample taken of the defendant's blood?" This was in a motor tort case. In an assault case, "When the witness looked through the windshield and saw the defendant hit the victim, was the windshield open or closed?" In a dog bite case "Had the victim been swimming in a shark tank prior to the incident?" And finally, "Was Mr. Wagner pregnant when the car was taken?"

In one instance a juror asked for crayons and a coloring book. It was then determined that that juror profile was of a six year old.

Shockingly, in each instance the verdict ultimately reached in a case, it was deemed to be predictably accurate when compared to the algorithm with the exception of five defense verdicts in a row against Tim Maloney.

The expected roll out of the Virtual Jury Project is now expected on April 1, 2016.

The Jaklitsch Law Group

Congratulations to 'Rising Stars' Suzanne Burnett and Matt Trollinger

Suzanne Burnett and Matt Trollinger

The Jaklitsch Law Group is pleased to announce that **Suzanne Vetter Burnett** and **Matt Trollinger** were chosen for inclusion in the 2015 Maryland Super Lawyers (TM) *Rising Stars* list, an honor reserved for those who exhibit excellence in practice. According to Super Lawyers magazine, only 2.5 percent of the attorneys in Maryland are named to *Rising Stars* list each year.

"As thrilled as I am to have Suzanne and Matt trying cases for The Jaklitsch Law Group, our clients are thrilled even more," says Rick Jaklitsch. "Both provide unequalled client service."

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JaklitschLawGroup.com

The Jaklitsch Law Group

Rick Jaklitsch
Debbie Potter
Suzanne Vetter Burnett
Matt Trollinger

Information from the Prince George's County Circuit Court Law Library

New Titles! New Editions! At the Prince George's County Circuit Court Law Library

The Prince George's County Circuit Court Law Library presents a list of new materials acquired during January and February 2015. Feel free to visit the Library and review any materials, new or old.

New titles at the Law Library - January - February 2015

BOOKS

Bankruptcy Code, Rules and Forms: including Federal Rules of Civil Procedure and Federal Rules of Evidence, 2015 ed.
KF 1510.99 B38 2015 RESERVE

MSBA

2014 Hot Tips in Family Law
KFM 1294 .H68 2014

Maryland Lawyers' Manual, 2015 ed.
KF 192 .M36 M3 2015 RESERVE

CD-ROMS

Maryland Estate Planning, Wills and Trusts Library – 2015
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The Prince George's County Bar Association

SPRING MEMBERSHIP MEETING

GUEST SPEAKER

BRIAN E. FROSH

ATTORNEY GENERAL
STATE OF MARYLAND

AND RECOGNIZING

OVER 20 YEARS OF THE PGCBA TRAFFIC SCHOOL PROGRAM

APRIL 29, 2015
6:00 P.M.
NEWTON WHITE MANSION

Food, Drinks, and
Light Jazz by the Rob Levit Jazz Trio
Sponsored by The Jaklitsch Law Group

$35 Members until April 17th ; $45 after
$45 Non Member until April 17th ; $55 after

****************************PLEASE RSVP****************************

Make checks payable to PGCBA
Contact: 301-952-1442
rhadden@pgcba.com

In Partnership with Anne Arundel Bar Association

LEG 524 – Overview: Medicaid and Assets Protection Learn how to educate and advise your clients on financial and medical assistance matters; Explore asset protection concepts and strategies that elder law attorneys can use to legally and ethically protect assets. Gain invaluable knowledge through the discussion of several and practical examples from case studies. Utilize the expertise of the panel and address the most pressing issues of everyday practice in the course of an engaging discussion. *$55.00 (add $10.00 if out of county)*

Speakers: Candace Beckett, Esq. & Elena Boisvert, Esq **When:** April 28, 2015 6–8:15 pm

Where: Room 100, Center for Applied Learning Technologies (CALT) Building

Coming Soon

Practicing in the District Court
May 2015

Mediation Seminars and Trainings

LEG 396 – 20 hour Child Access Mediation Training: *$350.00 ($355.00 if an out-of-county resident) Note: This training meets Maryland Rule, Title 17-104(b)(2) requirements for mediating child access disputes.*

Speakers: Robert A. McFarland, Esq., Patricia Cummings, LCSW-C **When**: April 9-11, 2015

Where: Room 130, Center for Applied Learning Technologies (CALT) Bldg.

LEG 358 - Mediator Ethics: Confidentiality: Examine mediator's and parties' responsibility for confidentiality, including communications during mediation, confidentiality of written agreements, permitted disclosures, and admissibility of discoverable material. Develop strategies for handling confidentiality issues during a mediation session. *$50.00 ($60.00 if an out-of-county resident)*

* This course satisfies Title 17 continuing education requirements and MPME mandate for continuing education in ethics training.

Speaker: Nancy Hirshman **When**: April 29, 2015 6–8:15 pm

Where: Room 253, Careers (CRSC) Center

For easy and fast registration, print out a registration form from the website below and fax it to (410) 777-4325 or email a PDF to lehoward1@aacc.edu.

101 College Parkway, Arnold, MD 21012 | **410-777-7323**
For registration, speaker and seminar information, **visit www.aacc.edu/legalstudies/cle**.

Community Legal Services News | *by Nora C. Eidelman, Deputy Director*

PRO BONO AWARDS RECEPTION & SILENT AUCTION

We are marking our 30th Anniversary! We will honor our top volunteer attorneys of the year and a special recognition of CLS Past President the **Honorable Julia B. Weatherly** will take place. Please mark your calendars.

April 30, 2015, 6:00 p.m. - 8:00 p.m.
United States Courthouse
6500 Cherrywood Lane
Greenbelt, Maryland 20770

You can **purchase your tickets on-line** by going to our website at www.clspgc.org and clicking Donate. The cost is $50.00 per person, $55 at the door. You may also mail you your check to Community Legal Services of Prince George's County, Inc., P.O. Box 374, Riverdale, MD 20738. If you are interested in becoming a SPONSOR, please visit our website and click on 2015 Sponsorship Form located under "Special Thanks."

We accept donations for the Auction. Typically items that have been donated in the past for this event include weekend getaways, wines, resort packages, sports tickets/packages and memorabilia items; luxury items such as handbags, upscale restaurant gift cards, retail gift cards, and the like. CLS also accepts contributions which help to fund the event. Please submit your donations early. Your generosity is appreciated and will help CLS to continue to fulfill the mission of the organization to provide legal services to the indigent.

Success Story
Client: "*We can now sleep in peace and start our journey once again."*

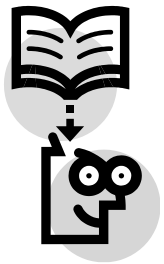
A retired DC government employee had raised her own children and watched them have families of their own. Tragedy struck when her daughter passed away and she assumed guardianship of her two granddaughters. For the next 15 years she provided shelter, love and a solid education for the girls. After the two young ladies went off on their own, our client found herself on a fixed budget, heavily in debt and struggling to keep her two bedroom condo through threats of court judgements and garnishments. Our client brought her situation and circumstances to CLS and asked for any help we could provide. CLS matched her with a seasoned bankruptcy attorney. They met in his office, at her home and consulted over the phone. The attorney provided the client with a plan of action, direction and assurance that the debts would be forgiven. Her wages kept intact and her home saved. Bankruptcy provided the relief that our client needed. The entire process took less than 12 weeks. Now, she has a budget she can maintain and is enjoying her senior years in her home.

We Have Funding Available to Pay for Attorneys Fees!
CLS continues to refer cases under our Family Law Judicare Program. Funding for this program is made available by Maryland Legal Services Corporation. Attorneys receive $80.00 per hour up to $1,600.00 per case. Payment is made after the case is concluded.

Please contact Michael Udejiofor at 240-391-6532 to be added to the list!

Community Legal Services of Prince George's County, Inc. is a non-profit organization established to provide quality civil legal services to low-income persons in Prince George's County. It does this through the generous contribution of legal advice and legal representation by members of the private Bar. Additionally, CLS operates free legal clinics in the County. They are located in the in Circuit Court House, Langley Park and Suitland. For more information about our services, please contact Nora C. Eidelman, at 240-391-6532, ext. 12.

HAVE YOU TAKEN YOUR PHOTO FOR THE PGCBA MEMBERSHIP DIRECTORY???



IF NOT

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HELP MAKE OUR BAR DIRECTORY A COMPLETE SUCCESS

Save the Date!

Annual Meeting/Election

June 9, 2015

Honoring
The Honorable Julia B. Weatherly

Circuit Court
Prince George's County Maryland

NEWTON WHITE MANSION

6:00 PM

$55.00 per person

Table and Sponsorship details coming soon

Please RSVP by May 29, 2015 301-952-1442

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DISTRICT COURT

ROUNDTABLE SYMPOSIUM

(formerly the District Court Town Hall Meeting)

WEDNESDAY, MAY 6, 2015
1:30 PM – 4:30 PM

COURTHOUSE
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YOU ARE INVITED TO JOIN US FOR OUR
NEW ROUNDTABLE SYMPOSIUM

HOSTED BY:

THE DISTRICT V JUDGES

BAR ASSOCIATION LEADERSHIP OPPORTUNITIES

Positions Available: Secretary – Director

PGCBA's Nominating Committee, chaired by Immediate Past President, Jennifer Muskus, is seeking candidates for the positions of Secretary and Directors for the Prince George's County Bar Association Board.

The deadline for submitting applications is Friday, April 10, 2015. Elections will be held at the Bar Association's Annual Meeting on Tuesday, June 9, 2015.

Minimum qualifications for an officer position are delineated by the By-laws. Generally, anyone who has been an Active PGCBA member in good standing for two years and has served on the Board OR as a chair or co-chair of a standing or special committee or section for two years may be a candidate for the office of Secretary.

Any active member currently in good standing may seek nomination as a candidate for a two-year term as a Director. The Board of Directors generally meets the first Tuesday of each month (depending upon scheduling) except for June and/or July, when the annual Retreat is held. The regular Board meeting schedule is determined by the President at the beginning of the new Bar year.

The Board of Directors manages the affairs of the PGCBA and provisions of the PGCBA Bylaws state in part that a nominee for a directorship commits that:

1. **he or she will serve as an active member of the Board and chair or liaison of at least one committee or section;**
2. **miss no more than two Board meetings without good cause and;**
3. **attend the Board's annual retreat.**

Anyone who would like to be considered for the position of Secretary or Director is requested to fill out the Application for Bar Leadership form and return the form, together with a brief summary of professional and bar activities, with a current photo through email to the Bar Association office, at rhadden@pgcba.com prior to the Friday, April 10, 2015 deadline. Questions may be directed to Immediate Past President Jennifer Muskus at 301-651-5270, or to Robin Hadden at 301-952-1442.

APPLICATION FOR BAR LEADERSHIP
DEADLINE FOR SUBMISSION: April 10, 2015

TO: Jennifer Muskus
Prince George's County Bar Association
14330 Old Marlboro Pike, Upper Marlboro, MD 20772-2840

Applicant: _____

Firm: _____

Address: _____

_____

Please check a box: Secretary [ ] Director [ ]

Please email the form, a brief summary of professional and bar activities with a current photo

TO RHADDEN@PGCBA.COM NO LATER THAN FRIDAY, APRIL 10, 2015

(PHOTOCOPIES OF THIS FORM ARE ACCEPTABLE)

THIS APPLICATION IS ALSO AVAILABLE AT WWW.PGCBA.COM

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8:30 a.m. Tournament Shotgun Start
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(1) Tee Sign – Prize Hole

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(2) Golfers	(1) Tee Box Sign
(1) Tee Box Sign	

*Sponsors Must Provide Logo

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02/15/14-03/15/15

Number of Calls: 398

Number of Referrals: 218

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1. Real Estate
2. Torts
3. Family
4. Employment
5. Civil

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"Rules Applicable to Voir Dire"
Speaker: TBA

"Effective Opening Statements"
Speaker: Robert Clark

"Update on Use of Technology in the Courtroom"
Speaker: TBA

June 9, 2015

(Prior to the June Annual Meeting)

4:00 p.m.

Newton White Mansion
2708 Enterprise Road, Mitchellville, MD 20721

CLE and Annual Meeting Joint Price: $90.00 for Members; Non-Members $110.00
CLE Only: $45.00 for Members; Non-Members $55.00
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The NewsJournal is published nine times a year by the PGCBA. We welcome the submission of articles and other items of interest to the Bar members and also encourage your comments on the NewsJournal's articles, columns, and letters.

The PGCBA may reject or suggest edits for content, style and length of any submission. Anonymous submissions are not published. The views expressed in the articles, letters and columns reflect the opinions of the authors and may not reflect the views of the PGCBA, its officers, or directors.

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COMMITTEE CHAIRS

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